

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA**

Charlotte Littlejohn,)	
)	
Plaintiff,)	Civil Action No. 1:14-2953-RMG
)	
vs.)	
)	
Carolyn W. Colvin, Commissioner of)	ORDER
Social Security,)	
)	
Defendant.)	
)	
)	
)	

This matter comes before the Court for judicial review of the final decision of the Commissioner of Social Security denying Plaintiff's application for Disability Insurance Benefits ("DIB"). In accordance with 28 U.S.C. § 636(b) and Local Rule 73.02, D.S.C., this matter was referred to the United States Magistrate Judge for pretrial handling. The Magistrate Judge issued a Report and Recommendation ("R & R") on April 14, 2015 recommending that the decision of the Commissioner be reversed and remanded to the agency. (Dkt. No. 18). The Magistrate Judge concluded that the Administrative Law Judge ("ALJ") failed to properly apply the standards for SSR 12-2p, 2012 WL 3104869 (July 25, 2012), relating to claims of disability arising from fibromyalgia, and applied inappropriately the standards of the Treating Physician Rule, 20 C.F.R. § 404.1527, regarding the weighing of the opinions of Plaintiff's treating specialist physician, Dr. Machimada. (*Id.* at 24-37). The Commissioner has filed a reply to the R & R indicating that she does not intend to file any objections to the recommendations of the Magistrate Judge. (Dkt. No. 22).

The Court has reviewed the R & R and the record evidence and finds that the Magistrate Judge has ably addressed the factual and legal issues in this matter. Therefore, the Court **ADOPTS** the Report and Recommendation as the order of this Court, **REVERSES** the decision of the Commissioner pursuant to Sentence Four of 42 U.S.C. § 405(g), and **REMANDS** the matter to the Commissioner for further proceedings consistent with this order.

AND IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'R. M. Gergel', is written over a horizontal line.

Richard Mark Gergel
United States District Judge

Charleston, South Carolina
April ~~28~~, 2015